

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ST PAUL FIRE AND MARINE
INSURANCE COMPANY and NEW
YORK MARINE AND GENERAL
INSURANCE COMPANY,

Plaintiffs,

v.

KINSALE INSURANCE COMPANY,

Defendant,

TRC OPERATING COMPANY, INC.
and TRC CYPRESS GROUP, LLC.,

Real Parties in Interest.

Case No. 1:20-cv-00967-CDB

ORDER SETTING CASE MANAGEMENT
DATES THROUGH TRIAL

Upon stipulation by the Parties, the Court adopted a two-phase briefing schedule for the parties' motions for summary judgment. (Doc. 79). The first phase involved summary judgment motions addressing only the question of whether Defendant Kinsale Insurance Company ("Kinsale") has a duty to defend the real parties in interest in a state court suit captioned *TRC Operating Co. v. Chevron, Kern County*, Case No. S-1500-CV-282520 DRL (the "Underlying Lawsuit") ("Phase 1"). See (Docs. 78-1, 79). On June 10, 2024, the Court issued an order granting Plaintiffs' motions for partial summary judgment and denying Kinsale's motion for summary judgment. (Doc. 94).

The Court found that Kinsale has a duty to defend the real parties in interest. In addition, the Court ordered the parties to file a joint report proposing a discovery and briefing schedule for motions addressing any disputes over allocation issues as well as any motion filed by Defendant

1 seeking to terminate its' duty to defend ("Phase 2"). (Doc. 94 p. 17; Doc. 78 p. 4).

2 Pending before the Court is the parties' stipulated request to set scheduling deadlines for
3 the remaining Phase 2 issues. (Doc. 95). For good cause shown, the Court sets the following
4 case management dates **as modified**:

- 5 1. Discovery concerning Phase 2 issues commencement: July 2, 2024.
- 6 2. Deadline to complete alternative dispute resolution/mediation: October 29, 2024.
- 7 3. Deadline to complete discovery and subpoenas to third parties: December 27, 2024.
- 8 4. Deadline for meet and confer regarding Phase 2 trial proceedings and fact stipulations for
9 dispositive motions: January 10, 2025.
- 10 5. Deadline for filing opening dispositive motions concerning Phase 2 issues: February 7,
11 2025.
- 12 6. Deadline for opposition memorandum: February 28, 2025.
- 13 7. Deadline for reply memorandum: March 14, 2025.
- 14 8. Hearing on dispositive motions: March 24, 2025, at 10:30 a.m.
- 15 9. Pre-trial conference: May 27, 2025, at 10:00 a.m.
- 16 10. Trial: July 28, 2025, at 8:30 a.m. (estimated 2-3 days).

17 IT IS SO ORDERED.

18 Dated: **July 2, 2024**

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UNITED STATES MAGISTRATE JUDGE